

Part 1

General Provisions

58-83-101 Title.

This chapter is known as the "Online Prescribing, Dispensing, and Facilitation Licensing Act."

Enacted by Chapter 180, 2010 General Session

58-83-102 Definitions.

In addition to the definitions in Section 58-1-102, as used in this chapter:

- (1) "Board" means the Online Prescribing, Dispensing, and Facilitation Licensing Board created in Section 58-83-201.
- (2) "Branching questionnaire" means an adaptive and progressive assessment tool approved by the board.
- (3) "Delivery of online pharmaceutical services" means the process in which a prescribing practitioner diagnoses a patient and prescribes one or more of the drugs authorized by Section 58-83-306, using:
 - (a) a branching questionnaire or other assessment tool approved by the division for the purpose of diagnosing and assessing a patient's health status;
 - (b) an Internet contract pharmacy to:
 - (i) dispense the prescribed drug; or
 - (ii) transfer the prescription to another pharmacy; and
 - (c) an Internet facilitator to facilitate the practices described in Subsections (3)(a) and (b).
- (4) "Division" means the Utah Division of Occupational and Professional Licensing.
- (5) "Internet facilitator" means a licensed provider of a web-based system for electronic communication between and among an online prescriber, the online prescriber's patient, and the online contract pharmacy.
- (6) "Online contract pharmacy" means a pharmacy licensed and in good standing under Chapter 17b, Pharmacy Practice Act, as either a Class A Retail Pharmacy or a Class B Closed Door Pharmacy and licensed under this chapter to fulfill prescriptions issued by an online prescriber through a specific Internet facilitator.
- (7) "Online prescriber" means a person:
 - (a) licensed under another chapter of this title;
 - (b) whose license under another chapter of this title includes assessing, diagnosing, and prescribing authority for humans; and
 - (c) who has obtained a license under this chapter to engage in online prescribing.
- (8) "Unlawful conduct" is as defined in Sections 58-1-501 and 58-83-501.
- (9) "Unprofessional conduct" is as defined in Sections 58-1-203 and 58-83-502, and as further defined by the division in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

Enacted by Chapter 180, 2010 General Session